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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,377	04/19/2004	Akito Takegawa	01203.075	9725
7590 Liniak, Berenato & White Ste. 240 6550 Rock Spring Drive Bethesda, MD 20817		01/16/2007	EXAMINER LEON, EDWIN A	
			ART UNIT 2833	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	01/16/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/826,377	TAKEGAWA, AKITO	
	Examiner	Art Unit	
	Edwin A. León	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 April 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/19/04; 4/30/04</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6-9 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kimble (U.S. Patent No. 4,381,690). With regard to Claim 1, Kimble discloses (in Fig. 2) a tip structure for a support leg for a stand (Fig. 2), comprising: a main body (16); an elongated spike member (26) disposed in a first aperture (24) of the main body; wherein the spike member is resiliently biased to translate in the aperture of the main body.

With regard to Claim 6, Kimble discloses (in Fig. 2) a retraction spring (33) biasing the spike member toward a retracted position.

With regard to Claim 7, Kimble discloses (in Fig. 2) an end cap (28) fitted around a bottom portion of the main body, the end cap having an opening (inside 28) through which the spike member is adapted to pass.

With regard to Claim 8, Kimble discloses (in Fig. 2) at least one mounting hole (upper part of 16) disposed on a side of the main body for mounting the main body to at least one leg of a stand.

With regard to Claim 9, Kimble discloses (in Fig. 2) at least one pivot limiting member (Fig. 2) for limiting a range of pivotal motion between the main body and the at least one leg.

With regard to Claim 12, Kimble discloses (in Fig. 2) the latching aperture having two portions defining first and second diameters (Fig. 9), the spike member adapted to freely pass through the first diameter and the spike member adapted to be locked by the second diameter.

With regard to Claim 13, Kimble discloses (in Fig. 2) the spike member comprising an annular groove (Fig. 9) engaging the second diameter in the projecting position.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-5, 10-11 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimble (U.S. Patent No. 4,381,690) in view of Sammons (U.S. Patent No. 6,316,706). Kimble discloses substantially the claimed invention except for an internal locking assembly, a button member slidingly disposed in a second aperture of the main body, the button member selectively disengaging the internal locking

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assembly, the internal locking assembly comprises a resiliently biased locking plate having a latching portion that engages a detent formed in the spike member, the internal locking assembly is contained within the main body, the locking plate is L-shaped and a lock disabling assembly for selectively disengaging the internal locking assembly.

Sammons teaches (in Fig. 7b) a similar structure having an internal locking assembly (Fig. 7b), a button member (721) slidably disposed in a second aperture of a main body (711), the button member selectively disengaging the internal locking assembly, the internal locking assembly comprises a resiliently biased locking plate (725, 727) having a latching portion (727) that engages a detent formed in a member (703), the internal locking assembly is contained within the main body, the locking plate is L-shaped and a lock disabling assembly (721) for selectively disengaging the internal locking assembly.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the structure of Kimble by including a button member slidably disposed in a second aperture of the main body, the button member selectively disengaging the internal locking assembly, the internal locking assembly comprises a resiliently biased locking plate having a latching portion that engages a detent formed in the spike member, the internal locking assembly is contained within the main body, the locking plate is L-shaped and a lock disabling assembly for selectively disengaging the internal locking assembly as taught in Sammons in order to provide a quick release coupling for connecting the various components of the structure (Sammons, Column 1, Lines 57-61).

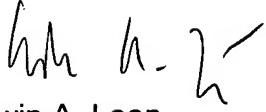
Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mosser et al. (U.S. Patent No. 6,075,190), Kurosaki (U.S. Patent No. 5,251,528) and Ishimatsu (U.S. Patent No. 6,399,865) disclose tips structures for stands similar to Applicant's claimed invention.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Edwin A. Leon
AU 2833

EAL
January 6, 2007